

Benedyk V. Some aspects of legal restrictions concerning joint work of relative persons application to the heads of the health care units

The article is devoted to the system-structural analysis of the national anticorruption legislation provisions as well as norms relating to the legal status of heads of the health care units (in particular, heads of the hospital departments) concerning legitimacy of legal limitations related to the joint work of relative persons in aforementioned sphere. Attention is drawn to the vulnerability of heads of departments and their close people in the aspect of protection of labor rights in the context of the indicated problem.

It outlines that based on the content of art. 3 and 27 of Ukrainian Law “On the Prevention of Corruption” interpretation of the category “official”, functional analysis of the legal status of the heads of units of health care institutions (heads of the hospitals) leads to the conclusion concerning inadmissibility of the application of any restrictions relating to the work of relatives.

The article also notes that, although the application of these restrictions to heads of the hospitals is not permissible, it does not deprive them, as officials, of the possibility of potential or actual conflicts of interest and the duty of their proper resolution.

Attention is paid to the vulnerability of the head offices and their relatives in the aspect of the protection of labor rights in the context of the problem.

Key words: corruption, restrictions on the work of close persons, conflict of interests, heads of departments of health care institutions.